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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91157113
Party	Plaintiff Big O Tires, Inc
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Submission	Other Motions/Papers
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BIG O TIRES, INC.

Opposer,

vs.

SUNRISE INCORPORATED,

Applicant.

Opposition No. 157,113

**CONSENTED MOTION TO SUSPEND  
BASED ON SETTLEMENT DISCUSSIONS**

COMES NOW the Opposer, Big O Tires, through its undersigned counsel, and hereby moves for an Order from the Trademark Trial and Appeal Board (the "Board") suspending these proceedings for a period of ninety (90) days.

The parties are currently engaged in settlement discussions which may have the effect of resolving all matters pending before the Board.

Pursuant to the Board's January 23, 2006 order, the parties advise as to the status of settlement. Various draft proposals have been exchanged between the parties. Since Opposer's last proposal, Opposer's counsel has contacted Applicant's counsel on numerous occasions seeking a reaction from Applicant (located in Japan). The most recent contact was on August 30, 2006. On September 6, 2006, Applicant's counsel left a voicemail message for Opposer's counsel responding to the outstanding settlement proposal, which is currently under review by counsel. The parties request the suspension in an effort to focus their attention on potential resolution of this matter.

Applicant's counsel, Mina Hamilton, consented to this Motion in a telephone voicemail message left for undersigned counsel on September 5, 2006.

This request, which is submitted in triplicate, is not made for the purpose of unduly delaying proceedings in the Patent and Trademark Office.

Respectfully submitted,

Big O Tires, Inc.

By: 

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**Attorneys for Opposer**

Dated: September 7, 2006  
Atty. Dkt. I-4799

**CERTIFICATE OF SERVICE**

I hereby certify that on this 7<sup>th</sup> day of September, 2006, a true copy of the foregoing CONSENTED MOTION TO SUSPEND BASED ON SETTLEMENT DISCUSSIONS, in connection with Oppos. No. 157,113 – BIG O TIRES, INC. vs. SUNRISE INCORPORATED, was served by first-class mail, postage prepaid, upon counsel for Applicant:

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